Another evil effect of the exemptions made under the Ezhava Regulation was that, under Section 33, if the majority of a *tarwad* consented to the exemption, the whole family was exempted. The remaining members, who formed a minority and who refused to give consent to the exemption, would, in course of time, when they became the *karanavans*, like to become *Makkattayis* so that the *tarwad* would cease to be a *Misradayi tarwad*.

Again, even if a whole *tarwad* be exempted from the operation of Part VII of the Regulation, the individual members of the *tarwad* need not necessarily be *Misradayis*. If they wanted to be so, they had also to get individual exemption from the operation of Part IV of the Regulation. Those ignorant of the law failed to do so within the prescribed time, with the result that their self-acquired property would be inherited by the children alone, while, according to the *Misradayi* custom, one-half of such property would alone go to the children and the other half descend to the nephews and nieces.

In view of the above, the member prayed that legislation should be undertaken so that the individual members of all *tarwads* exempted from the operation of Part VII of the Regulation might be deemed to have been exempted from the operation of Part IV also.

Another source of hardship to the *Misradayis* was that they had no codified law regulating inheritance but only certain decisions of civil courts and long standing custom. It was, therefore, absolutely necessary to have a separate law for the *Misradayis*. The member knew it was not easy to get such a bill passed by the Legislative Council. Even those members of the Council who had promised to support an amending bill to the Ezhava Regulation had receded. The only alternative was the passing of a Regulation by the Sovereign direct. The member earnestly prayed for the adoption of such a course.

Lastly, the member said that there were many *Misradayi tarwads* that had not been exempted under Section 33 of the Ezhava Regulation. The members of those *tarwads* had been misled by the evil influence of the supporters of the Regulation and prevented from applying for exemption in time. The only way to safeguard their interests was to grant the reliefs sought for in the resolutions passed by the public meeting of the Ezhavas held under the presidency of Mr. K.G. Sesha Aiyar. Till then, the period for applying for exemption under the Ezhava Regulation should be extended.

DEWAN'S REPLY : Mr. Padmanabhan Vaidyan, the Ezhava Regulation was purely a matter of social legislation. In such cases, the Government must maintain a complete aloofness. They must not join forces with one side or the other. The only way in which they can endeavour to intervene and the only way in which they have intervened in connection with the Ezhava Regulation was, firstly, to co-opt members from the Ezhava community so as to ensure that all the opinions of Ezhavas were represented ; and secondly, they intervened to give an extension of time to the *Misradayi* Ezhavas to enable them to come in and secure exemptions from the Regulation if they wanted. This was done, because either on account of misapprehension or other cause, the general body of those who desired exemption did not take action during the preliminary period. However, they have had six months now to avail themselves of exemption ; and much as I sympathise with the *Misradayi* community, it is not possible to give any further extension. Equally, I am afraid it is impossible for me to advise direct legislation on behalf of the community. But if you come in with an Amendment Bill, I shall be very happy to give the community facilities for attempting to put their case through the Council.

22. Necessity for a Kammala Regulation.

MR. K. NILAKANTAN ASARI (*Member, Nominated*) said that the Kammala community greatly deplored the absence of a law regulating marriage, inheritance and succession among them. Such a measure was an imperative necessity to the community and he invited the kind attention of the Government to the matter.

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No form or sanctity was prescribed for or attached to marriages among them and there were no mutual rights or duties between the parties to a marriage. Polygamy was permitted and had led to disastrous results. A man who had no means of maintaining even a single wife and the children by that wife often went and married another leaving the first wife and children helpless. The children so deserted were left without proper guardians to prevent them from falling into bad ways. Again, if the relations of a woman quarrelled with the husband of that woman, they immediately married her to a stranger. That was a source of disgrace to the whole community but there was no law to prevent it.

As regards succession and inheritance, the *makkattayam* rules of succession were followed by some and the *marumakkattayam* rules by others. The absence of a fixed law of succession had been the cause of unnecessary litigation in several families and of their consequent extinction. The rules of the Hindu Law on the subject did not help them but only created confusion. That would be evident from the conflicting judgments of civil courts delivered from time to time. The absence of a common law on the subject also accounted for the absence among them of that unity which was so necessary for the progress of every civilised community.

The member therefore prayed that a committee be appointed under the presidency of Mr. G. Nilakantan, Assistant Excise Commissioner, for drafting a Regulation for the Kammalas, containing, *inter alia*, definite provisions regarding marriage, succession and inheritance.

DEWAN'S REPLY: Mr. Nilakantan Asari, you ask that a committee be appointed, presumably by the Government, to draw up an enactment for the regulation of the law of marriage and succession among the community you represent. I would suggest that the Kammala *samajam* between themselves appoint a committee to frame a bill. When you have got your bill ready and send it up to Government, I shall undertake to see that it is enquired into and examined and I shall see that all possible help that our officers can render you is given to put it into shape and put it into relation with facts and conditions as they are. The only thing I say is that the community must as far as possible be one-minded in this matter.

The Assembly adjourned at 5 P. M. to meet again at 11-30 A. M. on Wednesday, the 23rd February, 1927.

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